

ORANGE COUNTY PLANNING COMMISSION

SUMMARY MINUTES

HEARING DATE: NOVEMBER 10, 2010

II. Roll Call

All commissioners were present.

III. Consent Item (s) – Minutes of August 25, 2010 and October 27, 2010

The minutes of August 25, 2010 were moved for approval by Commissioner Brose and seconded by Commissioner Nguyen with Commissioner Hall abstaining. The minutes of October 27, 2010 were moved for approval by Commissioner Hall and seconded by Commissioner Irons with Commissioner Nguyen abstaining.

IV. Discussion Item(s)

ITEM #1 PUBLIC HEARING – APPROVAL OF ZONING CODE AMENDMENT CA 10-01, ESTABLISHING SECTION 7-9-146.8 "SMALL WIND ENERGY SYSTEMS PERFORMANCE AND DEVELOPMENT STANDARDS" – ALL DISTRICTS

Staff is requesting approval of Zoning Code Amendment CA 10-01 that will establish Section 7-9-146.8 "Small Wind Energy Systems Performance and Development Standards" in non-urbanized, unincorporated areas in accordance with State law. CEQA – Negative Declaration No. IP10-337.

Recommended Action:

- a) Receive staff report and public testimony.
- b) Find that Negative Declaration No. IP10-337 satisfies the requirements of CEQA and is approved for the proposed project.
- c) Approve and recommend adoption of Zoning Code Amendment CA 10-01 establishing Section 7-9-146.8 "Small Wind Energy Systems Performance and Development Standards" by the Board of Supervisors.

The following is the action taken by the Orange County Planning Commission:

The motion for Item #1 was made by Commissioner Adams and seconded by Commissioner Hall to continue the item to November 24, 2010, to be heard at that time with revised language to the proposed ordinance.

APPROVE ☐

OTHER ☒

DELETED ☐

Unanimous ☐ (1) Nguyen: (2) Adams: (3) Brose: (4) Irons: (5) Hall:

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

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Special Notes: None

ITEM #2 PUBLIC HEARING – PLANNING APPLICATION PA080047 FOR A COASTAL DEVELOPMENT PERMIT/SITE DEVELOPMENT PERMIT AND USE PERMIT – FIFTH DISTRICT

Coastal Development Permit/Site Development Permit for the demolition and reconstruction of the main entryway guardhouse at the north side of the intersection of Pacific Coast Highway (PCH) and Shamrock Road, widening of Shamrock Road to accommodate an additional ingress lane, grading of the adjacent slope and new landscaping. Also included in the total project and subject to an encroachment permit from Caltrans are installation of a traffic signal, raised median and new striping and signage within the Caltrans right-of-way on PCH. A Use Permit is also requested for replacement of over-height walls located along the entryway of Shamrock road. The Coastal Development Permit/Site Development Permit is also requested for grading activity that involves more than 500 cubic yards on a slope greater than 30%.

Recommended Action:

- a) Receive staff report and public testimony as appropriate.
- b) Find that the project's Re-circulated Mitigated Negative Declaration (RMND) identifies the potential areas where impacts could potentially occur and provides mitigation measures and best management practices to lessen the impacts to a level of insignificance and is adequate under the California Environmental Quality Act.
- c) Approve Planning Application PA080047 for a Coastal Development Permit/Site Development Permit and Use Permit subject to the attached Findings and Conditions of Approval.

The following is the action taken by the Orange County Planning Commission:

The first motion for Item #2 was made by Commissioner Adams and seconded by Commissioner Brose to find the environmental document adequate and mitigation measures adequate and concur with staff's recommendation for the approval of the environmental documentation was carried by a four to zero vote with one abstention.

The second motion for Item 2 was made by Commission Adams and seconded by Commissioner Brose to approve the Use Permit for the over height walls, was carried by a four to zero vote with one abstention.

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The third motion for Item 2 was made by Commission Brose and seconded by Commission Adams to approve the Site Development Permit and the Coastal Development Permit was carried by a three to one vote with one abstention.

APPROVE ☒

OTHER ☐

DELETED ☐

Unanimous ☐ (1) Nguyen: Y (2) Adams: Y (3) Brose: Y (4) Irons: N (5) Hall: A

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

Special Notes: There were twenty-one speakers with one withdrawing from speaking. Jose Jimenez, CalTrans representative, also spoke on behalf of project.

ITEM #3 PRESENTATION – BROWN ACT – COUNTY COUNSEL

The following is the action taken by the Orange County Planning Commission:

Item #3 was not presented. Item was continued until next Planning Commission meeting where full attendance is expected.

ITEM #4 PURSUANT TO THE ORANGE COUNTY PLANNING COMMISSION RULES OF PROCEDURE, ADOPT A SCHEDULE OF MEETINGS FOR 2011

Recommended Action:

Adopt the Resolution of the Orange County Planning Commission regarding the proposed 2011 Schedule of Meetings.

The following is the action taken by the Orange County Planning Commission:

The motion for Item #4 was moved by Commission Adams and seconded by Commission Irons for approval of the 2011 Schedule of Meetings with a modification for the second meeting of August 2011 from August 24 to August 31; was carried by a unanimous vote.

APPROVE ☒

OTHER ☐

DELETED ☐

Unanimous ☐ (1) Nguyen: Y (2) Adams: Y (3) Brose: Y (4) Irons: Y (5) Hall: Y

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

Special Notes: None

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V. Reports from OC Planning

None

a) Upcoming Agenda Items

November 24, 2010

1. Zoning Code Amendment CA 10-01, Wind Energy Systems (Continued from 11/10/10)

b) Reports on Recent Actions of the Board of Supervisors

None

c) Major Decisions and Proposals of Staff

None

d) Previous Commission or Commissioner Requests

None

e) Litigation

None. Per County Counsel, a Writ has been filed for the Giracci Vineyards case; however the County has not been served yet.

Planning Commission Hearing adjourned at 5:34 p.m.